

Appl. No. 10/064,734
Amdt. Dated Aug. 03, 2004
Reply of Office action of June 08, 2004

REMARKS/ARGUMENTS

Two Replacement Drawing sheets (Sheets 1/3 and 2/3) are submitted herewith. The Replacement Sheets contain the same changes to Figures 1 and 3 that were proposed in the sheets filed with the previous Amendment dated 03/18/04, but are now marked "Replacement Sheet" as required by 37 C.F.R. 1.84. The changes contained in the current Replacement Sheets are explained in the Amendment filed 03/18/04.

The indefiniteness defects in claims 6-8 (identified in paragraph 2 of the Detailed Action) are corrected.

Applicant submits herewith a second Declaration of Prior Inventorship. This Declaration contains the language required by 37 C.F.R. 1.68 that was not included in the previously-filed Declaration dated 03/18/04, and establishes conception of the invention recited in the amended claims prior to the effective date of both the Thompson et al. and the Diener et al. references. The present application was also filed prior to the pertinent effective dates, thereby constituting a constructive reduction to practice of the invention. Applicant believes this showing of prior inventorship traverses all rejections based upon the Thompson et al. and Diener et al. references.

CONCLUSION

Based on the foregoing remarks, all pending claims are believed to be allowable. Accordingly, the above-identified application is believed to be in

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condition for allowance in all respects, and such allowance is courteously solicited.

If any further amendment is necessary to advance prosecution and place this case in allowable condition, the Examiner is courteously requested to contact the undersigned by fax or telephone at the number listed below. Please charge any cost incurred in the filing of this Amendment, along with any other costs, to Deposit Account 06-1510. If there are insufficient funds in this account, please charge the fees to Deposit Account No. 06-1505.

Respectfully submitted,



Gary Smith
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Attorney/Agent for Applicant(s)

Attachments: Declaration dated July 27, 2004

- Attachment A - 2 pages
- Attachment B - 1 page
- Attachment C - 2 pages
- Attachment D - 1 page

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